



*The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Division of Health Care Finance and Policy
Two Boylston Street
Boston, MA 02116*

DEVAL L. PATRICK
Governor

617-988-3100 • Fax 617-727-7662 • TTY 617-988-3175
www.mass.gov/dhcfp

JUDYANN BIGBY, M.D.
Secretary

TIMOTHY P. MURRAY
Lieutenant Governor

SARAH ISELIN
Commissioner

NOTICE OF PUBLIC COMMENT PERIOD

Pursuant to the provisions of M.G.L. c. 149, § 188 and in accordance with M.G.L. c.30A, as amended, a public comment period will be held until Friday, September 18, 2009 relative to proposed amendments to:

114.5 CMR 16:00: Determination of Employer Fair Share Contribution

The proposed amendments make technical changes to the Employer Fair Share Contribution regulation effective October 1, 2009. The amendments clarify that to be considered a contributing employer, an employer must maintain a written plan document for its group health plan. In addition, the employer must be able to document in writing its offer to employees to make a percentage premium contribution and the minimum number of hours that the employer requires for an employee to be eligible for full time benefits. The amendments also clarify that a Premium Reimbursement Arrangement (in which an employee enrolls in an individual plan and is reimbursed by the employer for a portion of the premium expense) may qualify as a group health plan provided there is written plan documentation that designates a particular plan for use by employees.

The Division is proposing these amendments to clarify the requirements for compliance with the fair share contribution requirements. There is no fiscal impact as a result of these amendments.

Written comments may be sent to:

Division of Health Care Finance and Policy
Two Boylston Street
Boston, MA 02116-4704
Attn: Corine Peach

Copies of the regulation are available for inspection and/or purchase at the Division of Health Care Finance and Policy, Two Boylston Street, Boston MA 02116 or you can access them free of charge in the Regulations section of the Division's web site located at www.mass.gov/dhcfp.